

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

JOHN A. KING,

Plaintiff,

v.

CIVIL ACTION NO. 2:04-cv-01046

DAILY GAZETTE COMPANY, et al.,

Defendants.

**JUDGMENT ORDER**

In accordance with the accompanying Memorandum Opinion and Order **DISMISSING** this action for the Plaintiff's failures to appear for his deposition and to prosecute and **DENYING** as **MOOT** the defendants' motions to dismiss, the Court **ORDERS** that judgment be entered in favor of the defendants and that this case be dismissed and stricken from the docket of this Court.

The Court **DIRECTS** the Clerk to send a certified copy of this Judgment Order to counsel of record and any unrepresented parties.

ENTER: May 27, 2005

A handwritten signature in black ink, appearing to read "Joseph R. Goodwin", is written over a horizontal line.

JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE